

IN THE UNITED STATES
DISTRICT COURT FOR THE SOUTHERN
DISTRICT OF TEXAS HOUSTON DIVISION

William Columbus Horth
Petitioner

Civil Action NO. H-18-1513

v
Lorie Davis, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division,
Respondent

United States Courts
Southern District of Texas
FILED

SEP 12 2018

David J. Bradley, Clerk of Court

Petitioners ORDER TO SHOW CAUSE

In Carter v Proconier 755 F.2d 1126 (5th Cir 1985) states A Habeas Corpus petitioner meets statutory "in custody" requirements when at the time he files petition he is in custody pursuant to conviction he attacks or he is in custody pursuant to another conviction that is positively and demonstrably related to the conviction he attacks. On August 27, 2014 I was convicted of two charges. One possession of a debit card and fraudulent use of identifying information. Marisol Pimental is the sole person on the Debit Card case and name is on the fraudulent case. Without Marisol Pimental on the Debit Card case, which is under attack, the fraudulent case can not hold. In Maleng v Cook it did not reverse the decision in Carter v Proconier from the 5th circuit. Also, I was convicted on August 27, 2014 of 20 years for the fraudulent case and 6 months for the debit case. ~~at the time~~ the time for that case (Debit) was up that day. If this was to stand I would off not been giving a chance to appeal to the Federal level. In Maleng v Cook it stated that a habeas petitioner be in custody Under the Conviction or Sentence under attack at the time he filed petition. I am in custody under the conviction because the case that I am attacking is the sole reason I am in custody for the fraudulent case. Without the Debit Card case the fraudulent case can not stand. So to sum it up the jurisdiction comes from Carter v Proconier 755 F.2d 1126 (5th Cir 1985) whose decision still stands. This case is perfect to allow this court and the 5th to Interdict what the supreme court ment in cases like mine

A collage of American symbols including the Statue of Liberty, the American flag, and the words 'LIBERTY' and 'EUREKA'. The collage is set against a background of stars and stripes, with the words 'LIBERTY' and 'EUREKA' written in large, stylized letters. The Statue of Liberty is shown in profile, holding a torch and a tablet. The American flag is shown in a waving motion. The words 'LIBERTY' and 'EUREKA' are written in large, stylized letters, with 'LIBERTY' in a serif font and 'EUREKA' in a more decorative, outlined font. The entire collage is framed by a decorative border.

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Southern District of Texas
P.O. Box 61010
Houston, TX 77268

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